

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

**SAMUEL JOSEPH ORLANDO,** )

**Plaintiff,** )

**CAFN: 5:22-cv-00012-MFU-JCH**

**v.** )

**REBECCA BYRD NEAL, et al** )

**Defendants.** )

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF  
DISCOVERY**

Plaintiff now files this Motion to Continue his trial based on the significant medical issues and other reason as follows:

1. The trial in this case is set to take place starting February 10, 2025.
2. The trial date was set July 11, 2024, when current counsel was not a part of this case;
3. The parties have conducted **some** discovery;
4. There have been no dispositive motions;
5. Current counsel was substituted in this case on January 17, 2025;

6. The lawyer who normally assists counsel with cases unfortunately broke his neck at the end of November (at the age of 80) and has been unable to assist substantively on cases;
7. Counsel himself **has a serious kidney issue** that he just found out about and is adjusting to and has had repeated serious problems that he can discuss with the Court if necessary;
8. As the Court knows Counsel has had significant diabetic issue that have affected his eyesight over the year and now has a serious kidney issue;
9. As a result of medical and other issue, Plaintiff must complete discovery of at least three cases this month including numerous depositions and can provide this Court with those case numbers;
10. Counsel has **had to ask for an extension** in all cases which had recent deadlines in January due to the above and the following;
11. Plaintiff's counsel had a Federal Government tax defense trial scheduled for December 2, 2024(USA v Moore, 5:21-cr-00023-EKD-JCH), **but then was moved to start January 6, 2025** (scheduled for 10-14 days), and the government produced to Plaintiff's counsel over 150,000 documents to review along with nearly 400 exhibits;
12. Plaintiff Counsel got stuck in the Virginia Storm weather, and the trial got moved to last Wednesday, but then settled on the day the trial was to start;

13. Plaintiff's counsel from September to through October took nearly 16 depositions in the Timpson v. Will, 2022CV369492 including the deposition of DA Willis herself recently;
14. Plaintiff has an 8 count murder case in which he came onto the case within three weeks of the September and while counsel gained a directed verdict on all 8 counts, her had to review over 5, 000 pages worth of information;
15. There appears to have been no attempt to mediate this case;
16. Plaintiff's calendar is completely free in June-September and can do his best to adjust to the Court in May 2025 also;
17. Plaintiff's counsel has conferred with defense counsel and Defendant does not oppose this motion;
18. In light of the above, much of which were unforeseen occurrences, Plaintiff request a continuance of this trial;
19. This request is made for good cause, without an improper purpose.

Respectfully submitted this 4<sup>th</sup> day of February 2025.

/s/ Mario Williams

Mario Williams

Georgia Bar No. 235254

5600 Roswell Road, Bldg. C, Ste 103

Sandy Springs, GA 30342

*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE AND COMPLIANCE**

I hereby certify that on this day, the foregoing **Motion for a continuance of trial** which was prepared using Times New Roman 14-point and has been filed with the Clerk of Court using the CM/ECF system, which will automatically send electronic mail notification of such filing to all counsel of record in this matter.

Respectfully submitted this 4<sup>th</sup> day of February 2025.

/s/ Mario Williams

Mario Williams

Georgia Bar No. 235254

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Sandy Springs, GA 30342

*Attorney for Plaintiff*